PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number
10 785350
/001, 14 47 103

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	12	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	12 minus 20=	* —
INDEPENDENT CLAIMS	— minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT		☐

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐ OR **OTHER THAN SMALL ENTITY**

SMALL ENTITY RATE	. FEE		OTHER THAN SMALL ENTITY RATE	FEE
BASIC FEE	385.00	OR	BASIC FEE	770.00
XS 9=		OR	XS18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL		OR	TOTAL	77~

CLAIMS AS AMENDED - PART II

OTHER THAN SMALL ENTITY OR **SMALL ENTITY**

AMENDMENT A
12-9-04

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 7	Minus	** 20	= —
Independent	* 1	Minus	*** 3	= —
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY RATE	ADDITIONAL FEE		OTHER THAN SMALL ENTITY RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=	.	OR	X$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X43=		OR	X86=	
+145=		OR	+290=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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DEC 0 9 2004   P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Michael Gerdts et al.   Confirmation No.: 8745

·Serial No.:   10/785,350   Examiner: J. Hook

Filing Date: February 24, 2004   Group Art Unit: 3752

Docket No.:   1001.1447103   Customer No.: 28075

For: RAPID EXCHANGE STENT DELIVERY SYSTEM AND ASSOCIATED COMPONENTS

Mail Stop Amendment
Commissioner for Patents .
PO Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION OVER A PRIOR PATENT (37 C.F.R. 1.321(c))

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (I)(i)(B))
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office
at 703-872-9306 on the date shown below.

_____Kathleen L. Boekley_____
Type or print name of person signing certification

Kathleen L Boekley   _December 9, 2004_
        Signature   Date

The owner, SciMed Life Systems, Inc., of full interest in the instant application hereby

disclaims, except as provided below, the terminal part of the statutory term of any patent granted on

the instant application, which would extend beyond the expiration date of the full statutory term

defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of

prior Patent No. 6,592,549. The owner hereby agrees that any patent so granted on the instant

application shall be enforceable only for and during such period that it and the prior patent are

commonly owned. This agreement runs with any patent granted on the instant application and is

binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent

12/28/2004 DPOLLARD 00000001 500413   10785350
01 FC:1814   260.00 DA

Appl. No. 10/785,350
Term. Discl. dated December 9, 2004
Reply to Office Action of September 9, 2004

granted on the instant application that would extend to the expiration date of the full statutory term as

defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any

terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in

whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination

certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term

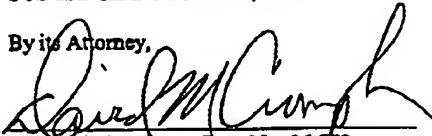as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

Respectfully submitted,

SCIMED LIFE SYSTEMS, INC.

By its Attorney,

Date: _12/9/04_

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